

EXHIBIT A

**Email from Olivia Weber to Saurabh Prabhakar dated
12/11/2023**

Archived: Tuesday, April 9, 2024 3:22:30 PM

From: [Weber, Olivia](#)

Mail received time: Mon, 11 Dec 2023 20:50:37

Sent: Monday, December 11, 2023 3:50:39 PM

To: [Prabhakar, Saurabh](#) [Ashley, Matt](#) [Cheryl G. Rice](#) [John L. Wood](#)

Cc: [Weber, Olivia](#) [Extreme](#) [Leslie A. Demers](#) 'jessica.malloy-thorpe@millermartin.com' 'jordan.scott@millermartin.com' '[Chuck Lee](#)' [Maddern, Jonathon](#)

Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

Importance: Normal

Sensitivity: None

Hi Saurabh,

Below are the word changes to the topics that we've discussed along with the revised definition of "Complete Basis." In addition, we've included corresponding word changes to Topics 1-3 and 5, for which we're willing to remove the same "but not limited to" language as the other topics. As discussed on our Friday call, we will follow up later with more detailed requests to narrow down Topic 18. Please let us know your availability to speak further tomorrow.

- "Complete Basis" means and refers to the identity and comprehensive description of ~~legal and~~ factual bases, including the Identity of all Persons with knowledge of the factual bases and the Identity of all evidence, including Documents (by production number), oral statements, and witnesses that relate to it.

<u>Topic No.</u>	<u>Plaintiffs' Proposed Changes</u>
1	The sale of Brocade's data center business to Extreme, including but not limited to any discussion or analysis Relating to SNMP Research and/or SNMP Research Software in connection with that sale.
2	The Brocade License Agreement, including but not limited to Your interpretation of it (including §§ 2-3 & Amendment 3 § 7), the performance and alleged breach of it, and the negotiation history for it. This includes without limitation Plaintiffs' notices of breach and termination.
3	The 2001 Extreme License, including but not limited to Your interpretation of it (including §§ 2-3, 7-8, 10, 16, 24-25, & Attachment A), the performance and alleged breach of it, and the negotiation history for it. This includes without limitation SNMP Research International, Inc.'s notices of breach and termination.
5	The Enterasys License, including but not limited to Your interpretation of it (including §§ 2-3), the performance and alleged breach of it , and the negotiation history for it. This includes without limitation SNMP Research International, Inc.'s notices of breach and termination.
8	Your request(s) for Licenses or assignments/transfers/amendments of Licenses from SNMP Research, including without limitation why You made the requests, which Persons were involved in the requests, and any research, testing or analysis done in connection with the requests or any of SNMP Research's responses to the requests.

20	The Complete Basis for Your contention that any of SNMP Research, Inc.'s copyrights are unenforceable against Extreme. any challenge You may make as to SNMP Research, Inc.'s copyrights and/or copyright registrations, including without limitation the validity and/or accuracy of the registrations and the ownership and/or authorship of the copyrights.
21	Your Communications with Broadcom or Brocade about SNMP Research, its software, its Licenses, and/or this lawsuit, and/or any This includes without limitation any discussions relating to actual or potential indemnification or defense.
22	Your Communications with any third party about SNMP Research, its software, its Licenses, and/or this lawsuit, and/or This includes without limitation any Communications (direct or indirect) with Your customers, direct or indirect.
23	The search You conducted to ascertain which Products at Extreme contain SNMP Research Software, including without limitation the Persons involved, and what their roles were, what they did to search, the results of the search(es), and how, when and to whom the results were communicated.
26	The process of creating any financial reports made by Extreme for production in this litigation, including the source(s) of information in such reports, the completeness of the data, the meaning of the data, and the process by which the accuracy of the data was verified.
31	Your Source Code for the operating system software contained in the Products identified in Extreme's responses to SNMP Research Inc.'s Interrogatory numbers 1 and 2, and including without limitation when, where and how it is maintained, developed, and inserted into the Products and subsequently updated.
32	The source, possession, and custody of every copy (including without limitation every identical copy) of Source Code containing SNMP Research Software. This includes, without limitation : <ol style="list-style-type: none"> All electronic devices and optical media on which every copy of this Source Code is or was ever stored at Extreme or by an Extreme employee or contractor, including hard drives, thumb drives, CDs, DVDs, PDAs, smartphones, tablets, personal and work computers, personal or work email accounts, in addition to the corresponding custodian of each device; All servers, source code repository systems, and databases in which this Source Code is or was stored; When and by whom this Source Code was first copied, created, or obtained at Extreme; All Extreme employees, past and present, who accessed, transferred, copied, or modified any of this Source Code at any time; When, by whom, and under what circumstances this Source Code was copied or deleted; The existence and contents of any log information showing the creation, editing, metadata accessing, metadata editing, and/or deletion of this Source Code.
35	The royalty system used to track royalty amounts owed for your Products and your policies, practices, and procedures for determining and reporting royalties for shipped Products and efforts to do so, and including but not limited to , all efforts taken to determine and report royalties for the Products identified in response to SNMP Research Inc.'s Interrogatory number 1 and 2.
37	The development of Management Information Base objects in each release of EXOS software that contains SNMP Research Software.

Best,

Olivia
(949) 760-5146

From: Weber, Olivia <oweber@irell.com>
Sent: Monday, December 11, 2023 11:22 AM
To: Prabhakar, Saurabh <sprabhakar@debevoise.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>
Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>; Weber, Olivia <OWeber@irell.com>
Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

Hi Saurabh, I am following up on my email below. When you get a moment, could you please confirm what time works for a call tomorrow regarding the 30(b)(6)? Thank you.

Best,

Olivia
(949) 760-5146

From: Weber, Olivia
Sent: Friday, December 8, 2023 5:47 PM
To: Prabhakar, Saurabh <sprabhakar@debevoise.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>
Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>; Weber, Olivia <OWeber@irell.com>
Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

Saurabh,

We are generally available for a call on Tuesday regarding the 30(b)(6) notice. Please let us know what times work for you.

Best,

Olivia
(949) 760-5146

From: Weber, Olivia <oweber@irell.com>
Sent: Tuesday, December 5, 2023 9:33 AM
To: Prabhakar, Saurabh <sprabhakar@debevoise.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>
Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>; Weber, Olivia <OWeber@irell.com>
Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

Thanks, Saurabh. We'll send a calendar invite.

Olivia
(949) 760-5146

From: Prabhakar, Saurabh <sprabhakar@debevoise.com>
Sent: Tuesday, December 5, 2023 2:58 AM
To: Weber, Olivia <oweber@irell.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>
Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>
Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

Olivia,

To continue the parties' meet and confer about Plaintiffs' Rule 30(b)(6) topics, Extreme is available on Friday, December 8 from 10 am – 12 pm PT.

Best,

Saurabh Prabhakar (he/him/his) | Associate | Debevoise & Plimpton LLP | sprabhakar@debevoise.com | +1 415 738 5730 | www.debevoise.com

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From: Weber, Olivia <oweber@irell.com>
Sent: Friday, December 1, 2023 7:53 PM
To: Prabhakar, Saurabh <sprabhakar@debevoise.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>
Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>; Weber, Olivia <oweber@irell.com>
Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

EXTERNAL

Saurabh,

I write concerning Extreme's request regarding separate privilege logs and our discussion on our Nov. 20 call. Plaintiffs agree to separately identify the privilege as to each Plaintiff and will also update the logs as we stated we would in our response letter (and as discussed on our call last week). We'll serve a revised log by December 22.

On our Nov. 20 call, you represented that Extreme would get back to us by December 1 with an explanation for the missing product numbers from Appendices E-G. You were also going to send (by today) search terms for Plaintiffs' consideration. Please confirm you will still send that information today, as well as provide Extreme's availability for additional calls early next week.

Best,

Olivia

(949) 760-5146

From: Weber, Olivia
Sent: Tuesday, November 28, 2023 7:55 AM
To: 'Prabhakar, Saurabh' <sprabhakar@debevoise.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>
Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>; Weber, Olivia <OWeber@irell.com>
Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

Hi Saurabh, we are agreeable to doing so, as long as Extreme agrees to meet and confer regarding SNMPPR's issues tomorrow. Also, at the beginning of the call we request an update on the issues related to the 30(b)(6) we discussed on the last meet and confer for which you were checking with your client.

Best,

Olivia
(949) 760-5146

From: Prabhakar, Saurabh <sprabhakar@debevoise.com>
Sent: Tuesday, November 28, 2023 7:39 AM
To: Weber, Olivia <oweber@irell.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>
Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>
Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

Hi Olivia,

Thank you for sending the invitations for the meet and confer.

For today's meet and confer, Extreme would like to continue discussion of deficiencies in SNMPPR's document requests on which we not finished meeting and conferring. Please refer to Extreme's October 30, 2023 email summarizing the parties' meet and confers.

Best regards,

Saurabh Prabhakar (he/him/his) | Associate | Debevoise & Plimpton LLP | sprabhakar@debevoise.com | +1 415 738 5730 | www.debevoise.com

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From: Weber, Olivia <oweber@irell.com>
Sent: Wednesday, November 22, 2023 9:24 PM
To: Prabhakar, Saurabh <sprabhakar@debevoise.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>
Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>;

Case 3:20-cv-00451-CEA-DCP Document 382-3 Filed 04/09/24 Page 6 of 12 PageID #: 17162

Weber, Olivia <oweber@irell.com>
Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

EXTERNAL

Hi Saurabh, we'll send invitations for both times.

Best,

Olivia
(949) 760-5146

From: Prabhakar, Saurabh <sprabhakar@debevoise.com>
Sent: Wednesday, November 22, 2023 5:15 PM
To: Weber, Olivia <oweber@irell.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>
Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>
Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

Olivia,

Extreme is unable to find a two hour window early next week. But Extreme is available to meet and confer for an hour each on the following days:

November 28, 11 – 12 pm PT

November 29, 2 – 3 pm PT

Please let us know if SNMMPR is available during these times. Extreme would like to meet and confer on deficiencies in SNMMPR's document requests on which we not finished meeting and conferring. Extreme has identified them in its October 30, 2023 email summarizing the parties' meet and confers.

Best regards,

Saurabh Prabhakar (he/him/his) | Associate | Debevoise & Plimpton LLP | sprabhak@debevoise.com | +1 415 738 5730 | www.debevoise.com

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From: Weber, Olivia <oweber@irell.com>
Sent: Tuesday, November 21, 2023 5:36 PM
To: Prabhakar, Saurabh <sprabhakar@debevoise.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>
Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>; Weber, Olivia <oweber@irell.com>
Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

EXTERNAL

Saurabh,

Yesterday you agreed to provide your team's available time blocks for early next week so that we could continue meet and conferring. Could you please send that availability so we can calendar the call as agreed? Thank you.

Best,

Olivia
(949) 760-5146

From: Weber, Olivia
Sent: Monday, November 20, 2023 6:18 PM
To: Prabhakar, Saurabh <sprabhakar@debevoise.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>
Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>; Weber, Olivia <OWeber@irell.com>
Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

Saurabh,

I write to follow up on our call today, as it relates to the thread below.

With respect to the missing products in Appendices E-G, Extreme could not explain today why the majority of the still-missing products were not addressed in its supplementation, but Extreme agreed to provide an explanation by December 1. Plaintiffs maintain that Extreme was obligated to explain, by Nov. 17 (as set forth in the Court's order), why it was not supplementing as to the still-missing products.

As to the objections that Extreme newly raised in its September and November supplemental responses to Interrogatories 5-6, you stated on our call that none of the requested information (including sales, shipments, and units) was excluded on the basis of any of the objections, and that the underlying documents were pulled directly from Extreme's financials. You stated that the financial data is not customized based on discovery requests, that you were reasonably confident that the spreadsheets from which the interrogatory responses were derived do not exclude any information based on the objections, and that you would let us know by next week (in light of the Thanksgiving holiday) whether Extreme is withholding any information from Interrogatories 5-6 on the basis of any of its objections.

You also asked us to identify each and every objection that SNMMPR is disputing as to Interrogatory 8, and represented that Extreme would provide a response by December 1 as to whether any information has been withheld based on these objections. As set forth in my email below and as stated on our call today, we object to the improper boilerplate. In particular, the improper boilerplate objections are the same type of boilerplate objections that the Court has already ruled is insufficient and waived: (1) "Extreme objects to the interrogatory for using the phrase 'any discussion or Communication' as overly broad, unduly burdensome, and disproportionate to the needs of the case to the extent it seeks oral internal communications"; and (2) "Extreme objects to this interrogatory as overly broad, unduly burdensome, and disproportionate to the needs of the case to the extent it asks for 'all internal Communications,' which includes each and every responsive communication." To be clear, we are not asking whether Extreme has withheld any non-inclusive emails (e.g. the first email in an email thread)—we are only asking Extreme to confirm whether it has withheld any inclusive communications (i.e., emails with no replies or forwards, or the last email in an email thread) based on these objections.

Lastly, the Parties discussed SNMMPR RFPs 184 and 193-194. Extreme asserted overbreadth, undue burden, proportionality, relevancy, proportionality, vague, and ambiguous objections (among others). Extreme is going to confirm whether it is actually not withholding documents on the basis of any of these objections. (As part of this discussion, Extreme also agreed to provide search terms for Plaintiffs to consider running as to Extreme's RFP 128, which tracks the language of SNMMPR RFP

184.) Extreme is also going to investigate its limitation of its document production in response to SNMMP RFP 194; Plaintiffs ask that Extreme also investigate its limitation of its document production in response to SNMMP RFP's 184 and 193, so that the parties' can discuss these limitations on our next call.

Best,

Olivia
(949) 760-5146

From: Prabhakar, Saurabh <sprabhakar@debevoise.com>

Sent: Monday, November 20, 2023 11:47 AM

To: Weber, Olivia <oweber@irell.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>

Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>

Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

Olivia,

The Court did not order Extreme to do anything on Interrogatory Nos. 5 and 6. In fact, the Court made clear that it was not issuing an order on Interrogatory Nos. 5 and 6 because that issue was not before the Court: "Plaintiffs referenced ten discovery items at the conference. In their position statement submitted to Chambers, however, they only sought relief with respect to four items . . . [T]he Court will only discuss these four items herein." Dkt. 332 at p. 1n.1. The Court restated Extreme's representation to the Court: Extreme will *either* supplement its response or explain why it did not supplement. *Id.*

On November 16, Extreme supplemented its response, as it said it would do. Although parties are not required to explain why they answer interrogatories in certain ways, Extreme will explain why it supplemented the response the way it did. But please do not demand answers by misstating that the Court ordered Extreme to do something when the Court did not, and further do not demand under the aegis of a non-existent court order that Extreme respond within a day. Especially when the parties are in the process briefing and meeting and conferring on other issues. Extreme will provide a response in coming days.

Best,

Saurabh Prabhakar (he/him/his) | Associate | Debevoise & Plimpton LLP | sprabhakar@debevoise.com | +1 415 738 5730 | www.debevoise.com

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From: Weber, Olivia <oweber@irell.com>

Sent: Thursday, November 16, 2023 7:13 PM

To: Prabhakar, Saurabh <sprabhakar@debevoise.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>

Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>; Weber, Olivia <oweber@irell.com>

Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

EXTERNAL

Counsel,

I write regarding another problem with Extreme's supplementation yesterday. In the attached Oct. 19 email, we identified a variety of products missing from Appendices E-G to Interrogatories 5-6. At the Nov. 1 hearing, Extreme deferred discussion of this issue by claiming that it was still investigating. As recounted by the Court in the Order (Dkt. 332) that issued the following day, Extreme would supplement Appendices E-G if needed on or before Nov. 17, and if Extreme believed supplementation wasn't necessary, it would explain to Plaintiffs its reasons for not supplementing. Dkt. 332 at 1 n.1.

In its supplementation yesterday, Extreme only supplemented as to a handful of products numbers and did not supplement as to the vast majority of missing products we identified on October 19. Extreme did not explain its reasons for not supplementing as to these still-missing products. Pursuant to the Court's order, by tomorrow (Nov. 17), please explain why Extreme did not supplement as to the following still-missing product numbers:

Appendix E-1 still appears to be missing:

- K6-MID-KIT
- PV-FC-180
- PV-FC-180-G
- S4-MIDMOUNT-KIT
- S8-MIDMOUNT-KIT
- Entire Product Class "Hardware," including Prod Mkt Num:
 - PV-50K-SYS-2
 - PV-V-50K-SYS-2

Appendix G-1 still appears to be missing:

- 8820-80C-AC-F
- 8820-40C-AC-F

Please also explain why Extreme **removed** S4-POE-4BAY-UGK and S3-POE-4BAY-UGK from Appendix E-1, which are both identified as "Platform" products in Extreme-00722449_OCEO by both being listed on the "EOS SKUs Platform only" tab.

Plaintiffs look forward to receiving Extreme's explanation so that the parties can hopefully resolve this issue.

Best,

Olivia
(949) 760-5146

From: Weber, Olivia

Sent: Wednesday, November 15, 2023 8:13 PM

To: Prabhakar, Saurabh <sprabhakar@debevoise.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>

Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>; Weber, Olivia <OWeber@irell.com>

Subject: RE: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

Counsel,

We are in receipt of Extreme's supplemental interrogatory responses. Extreme has attempted to assert objections that are not only untimely, they expressly violate the Court's April 22, 2022 Order. The Court has already overruled a variety of

objections that Extreme asserted as to purportedly “ambiguous or undefined terms,” Dkt. 131 at 10, which included objections to terms and phrases such as “partners,” “third parties,” “shipped,” and “internal bookkeeping or financial analysis of any kind,” among many other commonly-understood terms and phrases. The Court agreed with Plaintiff that the objected-to terms were “not inherently ambiguous” and ruled that Extreme’s objections were “without merit.” Dkt. 131 at 10-11. The Court further ruled that “[i]n labeling these ‘plain’ terms ambiguous, Extreme again relies on general objections to relevance and overbreadth; however, the Court finds that these general objections are insufficient and thus waived.” *Id.* The Court then ordered Extreme to “fully respond” to, among other requests, Interrogatories 5-6.

In contravention of this Order, in its recent supplemental responses, Extreme now re-asserts its objections to plain terms and phrases (e.g., “partner” and “third party”) and it repeatedly relies on the same kind of boilerplate objections that the Court already ruled were insufficient and waived (e.g., “Extreme objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of the case because it seeks information irrelevant to this case insofar as it asks Extreme to identify each customer, partner, or other third party who received each Extreme product identified in Interrogatory numbers 1 and 2.”).

On or before our Friday call, please confirm that Extreme will be withdrawing all newly-asserted objections set forth in its supplemental responses to Interrogatories 5, 6, and 8, or explain why Extreme believes it can newly assert these objections in the face of the Court’s April 2022 Order.

Plaintiffs reserve all rights, including seeking sanctions.

Best,

Olivia
(949) 760-5146

From: Robertson, Sean <srobertson@debevoise.com>
Sent: Wednesday, November 15, 2023 11:03 AM
To: Weber, Olivia <oweber@irell.com>; Ashley, Matt <MAshley@irell.com>; 'Cheryl G. Rice' <CRice@emlaw.com>; 'John L. Wood' <JWood@emlaw.com>
Cc: Extreme <Extreme@debevoise.com>; Leslie A. Demers <Leslie.Demers@skadden.com>; 'jware@emlaw.com' <jware@emlaw.com>; 'jessica.malloy-thorpe@millermartin.com' <jessica.malloy-thorpe@millermartin.com>; 'jordan.scott@millermartin.com' <jordan.scott@millermartin.com>; 'Chuck Lee' <Chuck.Lee@millermartin.com>; Maddern, Jonathon <jmaddern@irell.com>
Subject: SNMP Research, Inc., et al. v. Broadcom Inc., et al. - Discovery

Dear Counsel:

On behalf of Extreme Networks, Inc., please see the attached for service in the above-referenced matter.

Regards,
Sean

Debevoise & Plimpton

Sean Robertson
Litigation Case Manager
srobertson@debevoise.com
+1 415 738 5809 (Tel)
www.debevoise.com

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